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PATENT  
Customer No. 22,852  
Attorney Docket No. 06502.0230-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Michael BOUCHER ) Group Art Unit: 2122  
Application No.: 09/628,694 / ) Examiner: K. Gross  
Filed: July 28, 2000 ) Confirmation No. 3427  
For: METHODS AND APPARATUS )  
FOR COMPILING COMPUTER )  
PROGRAMS USING PARTIAL )  
FUNCTION INLINING )

Mail Box Issue Fee

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONSIDERATION OF  
PREVIOUSLY FILED INFORMATION DISCLOSURE STATEMENT**

In response to the Notice of Allowance dated November 19, 2004, Applicant notes that the Examiner has not provided an initialed copy of the Form PTO/SB/08 that accompanied the Information Disclosure Statement (IDS) filed on October 29, 2004. Applicant respectfully requests that the Examiner consider every reference listed on the Form PTO/SB/08 and provide Applicant with a signed copy of the Form PTO 1449 that accompanied the IDS.

Enclosed herewith are copies of the IDS, Form PTO/SB/08, and stamped postcard establishing receipt by the Office of the IDS and cited references on October 29, 2004.

If there is any fee due in connection with the filing of this request, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 13, 2004

By: \_\_\_\_\_

  
Joseph E. Palys  
Reg. No. 46,508



JAB/SRD/JEP

14  
**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

In Re Application of: Michael BOUCHER

Serial No.: 09/628,694

Group Art Unit: 2122

Filed: July 28, 2000

Examiner: K. Gross

For: METHODS AND APPARATUS FOR COMPILING COMPUTER PROGRAMS USING  
PARTIAL FUNCTION INLINING

- 
1. Information Disclosure Statement  
Under 37 C.F.R. § 1.97(c) (2 pages)
  2. Form PTO/SB/08 (1 page)
  3. Copy of EPO Search Report and one document
  4. Check for \$180.00 (IDS fee)

Dated: October 29, 2004

Docket No.: 6502.0230-00

J. Palys/Judy Long - Mail Drop 884



Oct 11-1-04 pmo



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Customer No. 22,852  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

The listed documents include published U.S. patent documents and one non-patent literature document. Applicant is not providing copies of the published U.S. patent documents. The non-patent literature document was cited in a foreign Search Report for European Application No. EP 00 40 0302. Although two other documents

were also cited in the report, those documents were already cited art in this application. A copy of the one non-patent literature document and foreign search report is provided.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 29, 2004

By:   
Joseph E. Palys  
Reg. No. 46,508

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	09/628,694
				Filing Date	July 28, 2000
				First Named Inventor	Michael BOUCHER
				Art Unit	2122
				Examiner Name	K. Gross
Sheet	1	of	1	Attorney Docket Number	06502.0230-00

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		POUL-HENNING KAMP, "Malloc(3) in Modern Virtual Memory Environments," XP-002283869, FreeBSD.org on-line document, Revised Fri Apr 5 12:50:07 1996, pp. 1-7.	

Examiner Signature \_\_\_\_\_ Date Considered \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.